

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) 2:12-cr-00455-HDM-PAL  
 ) 2:15-cr-01661-HDM  
Plaintiff, )  
 )  
vs. ) ORDER  
 )  
CHARLES BO MUMPHREY, )  
 )  
Defendant. )  
\_\_\_\_\_ )

The government shall file a response to the defendant's amended motion to vacate, set aside or correct sentence (#146) on or before August 1, 2016. In the event the Ninth Circuit has not by then rendered a decision in *Jacob v. United States*, No. 15-73302, *Gardner v. United States*, No. 15-72559, or otherwise as to whether *Johnson v. United States*, 135 S. Ct. 2551, 2557 (2015) is retroactively applicable on collateral review in Guidelines cases, the government is granted leave to seek an extension of time to file its response.

IT IS SO ORDERED.

DATED: This 3rd day of May, 2016.

  
UNITED STATES DISTRICT JUDGE